

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO.1:01-CR-336
v. :
: JUDGE SYLVIA RAMBO
: MARI ANTHONY, :
Defendant :
:

TO THE HONORABLE SYLVIA RAMBO, JUDGE OF SAID COURT:

**DEFENDANT'S MOTION FOR EXTENSION OF TIME AND REQUEST FOR
CONTINUATION OF RE-SENTENCING HEARING**

AND NOW, this 8th day of July, 2005, comes Defendant, MARI ANTHONY, by his attorney, Sanford A. Krevsky, and respectfully moves this Honorable Court for an Order granting Defendant's Motion for Extension of Time to submit Statements to be argued regarding Re-Sentencing and the Sentencing itself and, in support thereof, it is averred as follows:

1. By way of Superceding Indictment filed on August 21, 2002, Mr. Mari Anthony was charged with:
 - A. Possession with Intent to Distribute 50 grams or more of cocaine base and 500 grams or more of cocaine hydrochloride, both Schedule II narcotic controlled substances, in violation of Title 21, United States Code, Section 841 (a)(1); Title 18 United States Code, Section 2.
 - B. Conspiracy to Manufacture, Distribute and Possess with Intent to Manufacture and Distribute 50 grams or more of cocaine base and 500 grams or more of cocaine hydrochloride, both Schedule II narcotic controlled substances, in violation of Title 21, United States Code, Section 846.
2. Re-sentencing in this matter has been scheduled for Thursday, July 14, 2005.
3. A deadline has been set to submit a statement setting forth the issues on which Defendant intends to argue at the re-sentencing proceeding for July 12, 2005 at 12:00 p.m.

4. Defendant is in the process of being moved to Dauphin County Prison and therefore, additional time is required for Counsel to meet with Defendant for preparation of the statement and attendance at the Re-Sentencing Hearing.
5. Defendant understands that any passage of time relative to this request is attributable to Defendant and not the Government.
6. The United States Attorney assigned to this matter, William Behe, has no objection to the request for an extension of time to submit the statement setting forth the issues intended to argue at the re-sentencing proceeding or the rescheduling of the Re-Sentencing Hearing.

WHEREFORE, considering the seriousness of this case, it is respectfully requested that an Extension of Time in this matter be granted until a time set by Your Honorable Court.

Respectfully Submitted:

Date: 7/8/05

KREVSKY & ROSEN, P.C.

S/Sanford A. Krevsky
Sanford A. Krevsky, Esquire
Attorney for Defendant
1101 North Front Street
Harrisburg, PA 17102
(717) 234-4583
Attorney I.D.# 15560

CERTIFICATE OF CONCURRENCE

I, Sanford A. Krevsky, private counsel hereby certify that on July 8, 2005, I spoke with the assistant United States Attorney, William Behe, and he stated that the Government would concur in the foregoing Motion for Extension of Time and Continuance of Re-Sentencing Hearing.

Date:7/8/05

S/Sanford A. Krevsky

Sanford A. Krevsky, Esquire

CERTIFICATE OF SERVICE

I, Sanford A. Krevsky, private counsel do hereby certify that on this date I served a copy of the foregoing Defendant's Motion for Extension of Time and Re-Sentencing Hearing, by delivering the same to the following via first class United States Mail:

William Behe, Assistant United States Attorney
Federal Building
Harrisburg, PA 17102

And by placing the same in the United States mail, first class in Harrisburg, Pennsylvania addressed to the following:

Dauphin County Prison
Inmate: Mari Anthony
501 Mall Road
Harrisburg, PA 17111

Date: 7/8/05

S/Sanford A. Krevsky

Sanford A. Krevsky, Esquire
Attorney for Tye Davis